1963 No. 1657

WAGES COUNCILS

The Wages Regulation (Road Haulage) (Amendment) Order 1963

Made - - - - 30*th September* 1963

Coming into Operation 25*th October* 1963

Whereas the Minister of Labour (hereafter in this Order referred to as "the Minister") has received from the Road Haulage Wages Council the wages regulation proposals set out in the Schedule hereto;

Now, therefore, the Minister, by virtue of the powers conferred on him by section 11 of the Wages Councils Act 1959(a), and of all other powers enabling him in that behalf, hereby makes the following Order: —

1. This Order may be cited as the Wages Regulation (Road Haulage) (Amendment) Order 1963.

2.—(1) In this Order the expression "the specified date" means the 25th October 1963, provided that where, as respects any worker who is paid wages at intervals not exceeding seven days, that date does not correspond with the beginning of the period for which the wages are paid, the expression "the specified date" means, as respects that worker, the beginning of the next such period following that date.

(2) The Interpretation Act 1889(b), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

3. The wages regulation proposals set out in the Schedule hereto shall have effect as from the specified date.

Dated 30th September 1963.

John Hare,
Minister of Labour.

(a) 7 & 8 Eliz. 2. c. 69. (b) 52 & 53 Vict. c. 63.

SCHEDULE

STATUTORY MINIMUM REMUNERATION

The Wages Regulation (Road Haulage) Order 1962(a) (Order R.H. (74)) shall have effect as if in the Schedule thereto:—

1. for paragraph 20 there were substituted the following paragraph:—

"NIGHT WORK

20. A worker whose hours of duty or any part thereof entail employment between 7 p.m. and 6 a.m. shall be paid the appropriate rates of wages specified in paragraph 1, paragraph 6, or paragraph 15 and, in addition, in each spell of duty, *11d.* for each hour, or part of an hour, worked between 7 p.m. and 6 a.m. provided that where a spell of duty commences before 7 p.m. and finishes not later than 9 p.m. the additional payment shall not be payable. Where overtime is payable in respect of hours worked between 7 p.m. and 6 a.m., this additional payment remains payable but is not to be included for the purpose of calculating the overtime rate payable in respect of those hours."

2. for paragraph 24 there were substituted the following paragraph:—

"SUBSISTENCE

24.—(1) (*a*) When a worker's period of rest occurs away from his home depot he shall be paid *20s. 0d.* in respect of each period of rest not exceeding 15 hours' continued duration. Subject to the provisions of sub-paragraph (1)(*b*) of this paragraph, when any such period of rest exceeds 15 hours the worker shall be deemed to be on duty and shall be entitled to be paid (in addition to the *20s. 0d.*) at the time rate which would be payable if he were actually at work for the period he is resting in excess of 15 hours but not in excess of 24 hours or 23 hours according to whether he is a five- or six-day worker. If the period of rest exceeds 24 or 23 hours, as the case may be, these arrangements will continue to apply until the worker resumes actual duty;

(*b*) Where, following the first 15 hours of a period of rest for which subsistence is payable, deemed duty or actual duty commences on a Sunday, the worker shall be entitled (in addition to the *20s. 0d.*) in respect of any deemed and any actual duty performed on the Sunday to not less than the wages due for 9 hours or 8 hours at double time, according to whether he is a five- or six-day worker.

(2) Notwithstanding the provisions of sub-paragraph (1) of this paragraph the following provisions shall apply in the case of a worker who is temporarily transferred away from his normal home depot and stationed in another locality (beyond reasonable daily travelling distance from his home) for more than one week:—

(*a*) after payment in respect of the first week in accordance with the provisions of sub-paragraph (1) of this paragraph a worker shall, in respect of the second and subsequent weeks, be paid a weekly subsistence allowance of *96s. 3d.* (i.e., *13s. 9d.* per day);

(*b*) if a worker already on temporary transfer is temporarily transferred to another new station beyond reasonable daily travelling distance from his home he shall (after repayment in respect of the first week at such other new station in accordance with sub-paragraph (1) of this paragraph) be paid, in respect of the second and subsequent weeks, a weekly subsistence allowance of *96s. 3d.* (i.e., *13s. 9d.* per day);

(a) S.I. 1962/2775 (1962 III, p. 3937).

(*c*) for any period of rest occurring away from a new station and from his home, he shall be paid in accordance with the provisions of sub-paragraph (1) of this paragraph and, in respect of any day for which payment is made to the worker under the provisions of that sub-paragraph, the subsistence allowances of *13s. 9d.* per day (specified in (*a*) and (*b*) above) shall be reduced to *10s. 6d.* per day."

3. in paragraph 49 there were added to the list of Grade I Areas set out in the Tables to that paragraph the following locality :—

ENGLAND AND WALES

GRADE I AREAS

Locality	Local Authority
Forehoe and Henstead—Only Parish of Trowse with Newton	*RD*
Trowse with Newton (see Forehoe and Henstead RD)	*P*

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order, which has effect from 25th October 1963, amends the Wages Regulation (Road Haulage) Order 1962 (Order R.H.(74)) by increasing the night work addition and subsistence allowances fixed by that Order and by adding a specified locality to the list of Grade I areas.

New provisions are printed in italics.